



DEPARTMENT OF THE ARMY

OFFICE OF THE GENERAL COUNSEL

WASHINGTON, D.C. 20310

17 APR 1979

MEMORANDUM FOR THE ASSISTANT CHIEF OF STAFF
FOR INTELLIGENCE

SUBJECT: Research on Human Subjects for Intelligence Purposes

In a memorandum dated February 15, 1979, this office provided you with guidance on the conduct of certain intelligence research programs that have human participants. We advised you that we had a few unresolved questions on the matter that we were raising with the General Counsel of the Department of Defense.

We have now received responses to the questions that we raised. Except in one respect, the responses we received are consistent with the guidance we provided you earlier and will not require any changes to the program your office has established. The exception is that,

~~General Counsel, the Human Use Committee, should include a person, its members, at least one person who is not an employee of the Department of Defense. To avoid problems under the Federal Advisory Committee Act, this person should be a full-time employee of some other federal department or agency.~~

This change in the membership of the Committee should be made as soon as possible. We do not believe that it will be necessary for the reconstituted Committee to review and reapprove past actions taken by the Committee.

Darrell L. Peck
Deputy General Counsel
(Military and Civil Affairs)